### **Listing of Claims:**

(Currently Amended) A <u>presence-based seamless messaging</u> method,
 comprising:

detecting, from within a computing environment for sending a message via a user interface associated with a first communications medium, detecting a current live presence of a potential message recipient who can be reached via a second communications medium;

transforming the user interface to include an option of using the second communications medium; and

automatically invoking activating the second communications medium in response to the detecting.

- 2. (Original) The method as recited in claim 1, further comprising contemporaneously running multiple communications programs for instantly sending the message via one of the communications programs.
- 3. (Original) The method as recited in claim 1, further comprising transitioning to a user interface for the second communications medium in response to the detecting.

Lee & Hayes, Pllc 3

- 4. (Original) The method as recited in claim 1, further comprising transitioning to a message composition environment associated with the second communications medium in response to the detecting of the real-time presence.
- 5. (Original) The method as recited in claim 4, further comprising transferring at least part of an unsent message from a message composition environment associated with the first communications medium to a message composition environment associated with the second communications medium.
- 6. (Original) The method as recited in claim 1, further comprising offering a choice of sending the message to the potential recipient via the second communications medium.
- 7. (Original) The method as recited in claim 1, further comprising displaying a dynamic menu of message transfer options including an option to send the message via the second communications medium.
- 8. (Original) The method as recited in claim 7, wherein the number of message transfer options on the dynamic menu depends on the number of communications media to which a potential recipient is present.
  - 9. (Original) The method as recited in claim 1, wherein:

LEE & HAYES, PLIC

if the potential recipient is present to the second communications medium then displaying a one-click control option for transitioning message delivery and message composition to the second communications medium; and

if the potential recipient becomes non-present to the second communication medium, then removing display of the one-click control option.

10. (Original)The method as recited in claim 1, wherein the detecting includes sensing presence of multiple potential recipients, each present to one or more communications media;

invoking multiple communications media in response to the detecting; and sending the message to each of the multiple potential recipients via a communication medium to which a respective potential recipient is present.

11. (Currently Amended) A <u>presence-based seamless</u> messaging system, comprising:

## a computing device;

means for detecting a <u>current live</u> presence of a potential message recipient, <u>prior to sending a message</u>, who can be reached via a second communications medium from within an application program for using a first communications medium;

means for using the second communications medium in response to detecting the presence of the potential recipient;

LEE & HAYES, PLLC 5

means for changing a first user interface associated with the first communications medium to a second user interface associated with the second communications medium; and

means for sending a message via the second communications medium.

- 12. (Original)The system as recited in claim 11, wherein the means for changing a first user interface includes means for changing a first message composition environment associated with the first communications medium to a second message composition environment associated with the second communications medium.
- 13. (Original)The system as recited in claim 11, further comprising means for displaying a dynamic menu of message sending and reply options based on presence of potential recipients to communications media associated with the sending and reply options listed in the dynamic menu.
  - 14. (Original) The system as recited in claim 11, further comprising:

means for displaying a single one-click button for selecting both means for composing a message and means for delivering the message according to the second communications medium if the potential recipient is present to the second communications medium; and

Lee & Hayes, Pllc 6

means for removing display of the single one-click button if the potential recipient is not present with regard to the second communications medium.

- 15. (Original)The system as recited in claim 11, further comprising means for transferring at least part of an unsent message to a communications medium for which a potential recipient is newly present.
- 16. (Original)The system as recited in claim 15, further comprising means for transferring at least part of the unsent message to a message editor associated with the communications medium for which the potential recipient is newly present.
- 17. (Currently Amended) A presence-based seamless messaging system, comprising:

#### a computing device;

<u>a</u> [[A]] media transition engine, comprising:

a media detector to determine communications media periodically available to a potential recipient of a message;

a presence detector to sense a <u>current live</u> presence of the potential recipient, wherein the presence includes a current ability of the potential recipient to receive the message via one of the detected communications media; and

Lee & Hayes, PLLC 7

- a media integrator to render available for immediate use each communications medium for which the potential recipient is present.
- 18. (Currently Amended) The <u>system</u> as recited in claim 17, wherein the media integrator sends the message via a communications medium for which the potential recipient is present.
- 19. (Currently Amended) The <u>system</u> as recited in claim 17, wherein the media detector uses one or more address book databases.
- 20. (Currently Amended) The <u>system</u> as recited in claim 17, further comprising a user interface transition engine to switch a current user interface to a user interface associated with the communications medium for which the potential recipient is present.
- 21. (Currently Amended) The <u>system</u> as recited in claim 20, wherein the user interface transition engine changes a current message composing environment to a different message composing environment associated with the communications medium for which the potential recipient is present.

Lee & Hayes, pllc 8

- 22. (Currently Amended) The <u>system</u> as recited in claim 20, wherein the user interface engine changes the message composing environment in response to the presence detector sensing the presence of the potential recipient.
- 23. (Currently Amended) The <u>system</u> as recited in claim 20, wherein the user interface transition engine transfers at least part of an unsent message to the message composing environment associated with the communications medium for which the potential recipient is present.
- 24. (Currently Amended) The <u>system</u> as recited in claim 17, further comprising a menu controller to display and update a dynamic menu of communications media options.
- 25. (Currently Amended) The <u>system</u> as recited in claim 24, wherein the dynamic menu offers a selection of communications media by which a message can be composed and sent and for which the potential recipient is present.
- 26. (Currently Amended) The <u>system</u> as recited in claim 24, wherein the dynamic menu offers an instant reply option for multiple potential recipients, wherein potential recipients present to instant messaging are initiated into a group chat, potential recipients present to communications media but not present to instant messaging are sent the message by a communications medium

LEE 6 HAYES, PLIC 9

for which they are present, and potential recipients not present to any communications media are sent the message via email by default.

- 27. (Currently Amended) The <u>system</u> as recited in claim 24, further comprising a single user-control button for initiating messaging via a medium for which the recipient is present, wherein the single user-control button appears in response to presence of the potential recipient and disappears in response to non-presence of the potential recipient.
- 28. (Currently Amended) A computer readable <u>storage</u> medium containing instructions that are executable by a computer to perform actions comprising:

during composition of a message to be sent using a first communications medium, detecting a real-time presence of a potential message recipient <u>prior to sending the message</u> who can be reached via a second communications medium;

and

offering a choice of using the second communications medium instead of the first communications medium.

29. (Currently Amended) The computer readable <u>storage</u> medium as recited in claim 28, further comprising instructions to change to a user interface

LEE 6 HAYES, PLLC

for the second communications medium in response to selecting the second communications medium instead of the first communications medium.

- 30. (Currently Amended) The computer readable <u>storage</u> medium as recited in claim 29, further comprising instructions to transfer at least part of an unsent message to a message composition area of the user interface for the second communications medium.
- 31. (Currently Amended) The computer readable <u>storage</u> medium as recited in claim 28, further comprising instructions to display a dynamic menu of communications media available for message delivery, wherein the potential message recipient is present to each medium in the dynamic menu.
- 32. (Currently Amended) The computer readable <u>storage</u> medium as recited in claim 28, wherein an email environment offers a menu of alternate communications media for which the potential message recipient is present in real-time.
- 33. (Currently Amended) The computer readable <u>storage</u> medium as recited in claim 32, wherein the email environment changes to a messaging environment of one of the alternate communications media in response to a user selecting one of the alternate communications media.

Lee & Hayes, pllc 11

34. (Currently Amended) The computer readable <u>storage</u> medium as recited in claim 32, wherein the email environment opens a messaging environment pane associated with one of the alternate communications media in response to a user selecting one of the alternate communications media.

# 35. (Currently Amended) <u>A presence-based seamless messaging</u> <a href="mailto:system">system</a>, comprising:

#### a computing device;

<u>a</u> [[A]] recipient-controlled media transition engine, <u>including</u>: <del>comprising</del>:

a media detector to <u>dynamically</u> determine communications media presently available to a <u>potential</u> recipient of a message, <u>wherein presently</u> available denotes that the recipient is currently present to the communications media;

a dynamic menu for the recipient to specify one of the communications media; and

a media integrator to transfer a message from a sender to the recipient instantly via the specified communications medium.

36. (Currently Amended) The <u>system</u> as recited in claim 35, wherein a user interface transition engine changes the sender's current message

LEE & HAYES, PLIC

composing environment to a different message composing environment associated with the communications medium specified by the potential recipient.

37. (Currently Amended) The <u>system</u> as recited in claim 35, wherein a user interface transition engine transfers at least part of an unsent message to the message composing environment associated with the communications medium specified by the potential recipient.

38. (Currently Amended) A <u>presence-based seamless messaging</u> method, comprising:

detecting, from within a computing environment for prior to sending a message via a first communications medium, a presence of a potential message recipient who can be reached via a second communications medium;

presenting a user interface for selecting at least part of an unsent message from a message composition environment associated with the first communications medium; and

automatically invoking the second communications medium in response to the detecting, wherein the selected part of the unsent message is transferred to a message composition environment associated with the second communications medium.

Lee & Hayes, pllc 13

39. (Original)The method as recited in claim 38, further comprising offering a menu of presence-based communications options whenever text is selected using the user interface for selecting at least part of an unsent message.

LEE & HAYES, PLLC 14